

REMARKS RELATED TO THE AMENDED CLAIMS

In the examiner's rejection of claim 1-20, it is acknowledged that the swimming paddle of the Cochran patent is capable of accommodating the hand on the convex side of the paddle such that a palm of the hand can rest against the surface of the paddle. Also, it is acknowledged that by loosening the straps 27 and 28, the swimmer's hand can be placed in more than one position on the convex side of the Cochran paddle. The new claims of the subject application now disclose the feature of using only one adjustable hand strap on a round disk. The swimmer can place his or her hand in a first position for covering the hands and fingers of the swimmer or the swimmer can rotate the disk 180 degrees and then place his or her hand in a second position. The second position allows the fingers of the swimmer to grip the edges of the disk. The Cochran paddle doesn't disclose or teach this structure and function now found in the new claims nor is it capable of allowing the swimmer to adjust the hand in the two different positions on the disk.

Claim 21 describes the water paddle having a round paddle disk having a diameter sufficient for covering the hand and fingers of the swimmer. A back side or convex side of the disk is adapted for receiving the palm of the swimmer's hand. An adjustable hand strap is received through a length of a pair of parallel hand strap slots. The slots have a length greater than the width of the hand strap to allow the hand strap to be adjusted up and down on the disk.

This claim describes the hand strap having a first side and a second side for receipt of the hand in a first position on the disk. The first position is shown in FIG. 4 of the drawings. In the first position, the first side is disposed below a centerline X-X and the second side is disposed along the centerline. This position allows the disk to cover

the hand and the fingers of the swimmer. The first position is discussed at the bottom of page 7 of the specifications.

In the second position, the disk is rotated 180 degrees, as shown in FIG. 5, and the first side is disposed above the centerline and the second side disposed along the centerline. The second position on the disk is discussed on page 8 of the specifications.

In the Cochran patent, it is acknowledged that by loosening the strap 27 disposed along a centerline through the paddle body 10, a swimmer could place his or her hand in a first position similar to what is shown in FIG. 4 of the application drawings. But should the swimmer rotate the paddle body 180 degrees and the swimmer inserts her or her hand in a second position, the second position would be no different than the first position. Also, the second position on the Cochran paddle body 10 would not allow the swimmer's fingers to grip an edge of the paddle body, as described in claim 21. Further it should be noted that the slots 16 in the Cochran paddle body are not sufficient in length for allowing any measurable adjustment for adjusting the swimmer's hand in more than one position thereon. For the above reasons, claim 21 is distinguishable over the paddle body disclosed in Cochran. Claim 21 should be allowed.

Claims 22-26 are dependent on the patentable structure of claim 21. These claims should be allowed.

Independent claim 27 is similar to claim 22 and describes the front of the disk being concave in shape and the back of the disk being convex in shape along with the hand strap adapted for receipt in the "V" of a swimmer's hand. The above remarks related to claim 21 also apply to claim 27. Claim 27 should be allowed.

Claims 28-30 are dependent on the patentable structure of claim 27. These claims should be allowed.

Independent claim 31 is similar to claims 21 and 27 and includes a third position of the hand strap on the disk for allowing an upper portion of the swimmer's palm to rest along the centerline of the disk. The above remarks related to claims 21 and 27 also apply to claim 31. Claim 31 should be allowed.

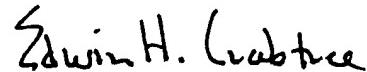
Claims 32 and 33 are dependent on the patentable structure of claim 31. These claims should be allowed.

CONCLUSION

Re-examination, reconsideration and allowance of the application are requested in view of the foregoing remarks and the new claims as presented.

Should the examiner have any questions regarding this amendment it is urged that he contact the undersigned.

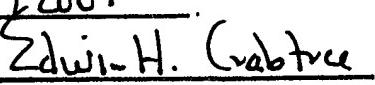
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CERTIFICATE UNDER 37 C.F.R. 1.3(3)

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Date: 9/17/2004 
Applicant's Attorney